



**David Edgren**

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Hide details

To:



lordofsatire@gmail.com

Date: July 12, 2015, 9:18 AM

Bill:

I am writing you today in our respective capacity of being our own attorneys in the federal litigation before Judge Bennett. I intend to be polite and courteous, but firm. I would expect **any** response you would make to this communication to be the same.

This is a letter written in furtherance of settlement, and in being such is expected to be held confidential and may not be used for any purpose in our court case or in any other adjudicatory forum under the applicable rules of evidence. More important, though, it is more or less the same "last exit before trial" letter that I probably wrote 500 times or more over the years in my law practice. Sure, you can trumpet what I write you here all over the Internet. You can reprint or repeat what I say and there's not a darned thing I can do about it. But you shouldn't, and I will try to make clear why.

You keep saying on your Twitter feed that you want to pull the plug on your lawsuit and all that needs to happen for that to occur is for people to "meet you halfway." Now, I don't doubt that you regret at times having started all this. Multi-party litigation in the federal courts is not an uncomplicated or particularly enjoyable endeavor. Most people who do that get paid big bucks for what you (and I) are doing right now for free. They are called attorneys. You and I, at this point, are just two guys in their sixties who could be spending their time doing other things. Yeah, yeah, I know, I have a leg up on you because I was an attorney, once upon a time. But I retired due to terrible osteoarthritis two years ago. I've got the hang tag in my car window that gets me preferred parking wherever I go to prove it. Like you were with Gail, I have become, despite my disability, a more or less full-time caregiver for my wife, who is seriously ill and will never get any better. Life is sad that way, but we still make choices. I do not think that you, in pursuing the litigation, have chosen wisely, but that's just me- a guy you've sued because you are angry.

I'll lay out two very different scenarios for you. The first one is that, starting the coming week, things will start to get real in the court case. You will be facing very difficult motion practice, and from an overwhelming number of people. There is little or no efficiency of scale at your end of the case, Bill. You have seven times the work to do that any of the named defendants has to do, and your path forward is fraught with danger. One mistake, one "phoned in" opposition because "if it was good enough for Grady it'll be good enough for Edgren," that sort of thing, and it can be over. You need an attorney, when it comes right down to it. But, as you almost certainly have found out, no personal injury attorney will touch your case on a contingency basis with a ten foot pole. I believe that the court will fairly quickly make you do a "do over" on the amended complaint. Very possibly Grady will be dismissed as a result. You will likely lose your IFP status and may well be subject to substantial monetary sanctions as a result of having misled the court, as well as having to immediately pay back all fees and costs advanced to date. And that is just what I am doing in the coming week. You will also be facing very shortly motions asserting misjoinder and other grounds for dismissal. The court may well

**EXHIBIT C - PART 1**

issue a "gag" or other "no contact" order. And, Bill, and you should consider this very, very carefully, I might not even seek dismissal. In March of this year you posted on your Twitter feed a photo of my seriously disabled adult son and made remarks about restraining orders. I am my son's guardian, and it is very likely, if things go forward, that he will be filing through me a third-party complaint against you in the case. He'll probably seek a dollar or so in notional actual damages, but the punitive damages will, pardon my Klatchian, be a bitch. You do not want to head into the golden years a bankrupt, my friend. It will poison everything you want to do.

Those things, again Bill, will start happening this coming week. Once they start, I will put my fingers in my ears. And, remember, there are six other defendants.

Or, in the alternative, you could dismiss the case as to all defendants. Tomorrow. Now, I know you are thinking- that's a pretty rotten deal. They get everything- I get nothing. Well, like I said back up at the top, this letter is an attempt at settlement. You bring something to the table - I bring something to the table. Here's what I'm bringing. Me.

If you dismiss the case tomorrow with prejudice as to all defendants, I will do the following.

1. As soon as the dismissal appears on the docket, I will withdraw from further participation of any sort (posts, images, comments) in the "Billy Sez" blog.

2. At that time, I will also remove all Billy Sez images that I have created from the image hosting service that I use. This may cause, but I make no guarantees nor is it part of this offer, all the links out there in posts and comments to go dead.

Please do not construe those two things as an admission on my part that I am acknowledging any wrongdoing in posting or commenting on Billy Sez, or in creating the Billy Sez images. I believe that such acts were completely lawful and were done as a matter of right under various legal theories and doctrines of law. Next:

3. I will not make further comments on "Thinking Man's Zombie."

4. I will not make further comments referring to you or in any thread where you are the original post's subject matter on "Hogewash," "ViewfromNL," "Dave Alexander's blog" or any other blog.

5. I will not contribute further artwork or images of or concerning you to "Hogewash," "ViewfromNL," "Dave Alexander's blog" or any other blog.

6. I will not "tweet" or "retweet" concerning you. I will not "like" any tweet concerning you. I will not tweet on your Twitter feed.

7. I will waive, in writing in the usual form, any claims of any sort or description that I or my son, Tristen Edgren, have or could have presented against you through tomorrow, July 13, 2015.

In short, I will go away and leave you alone. That is what you want, right? So there you have it.

This offer will be left open until the time of the close of business tomorrow of the clerk's office of the Federal District Court in which our case is pending. *The only way that it can be accepted is for a*

**EXHIBIT C - PART 2**

***dismissal with prejudice to be filed in the clerk's office of all your claims of any sort or description whatsoever which you have presented or could have presented through that date (July 13, 2015) against each and every party to the pending litigation.*** If you need help preparing this filing, I am willing to do the drafting. If this offer is not accepted in that manner by the stated deadline, it is withdrawn without need of further notice and will not be re-extended.

All parties, Bill. That point is non-negotiable. You need a way to bring this all to an end, and I'm trying my damndest to give you one. It won't bother me a bit if you accept and then turn around and say, "Look, I took care of that Edgren guy. You won't see him around anymore." You, in fact, can accept and then comment about me as you would see fit afterwards, but a gentleman wouldn't do that. For my part, I will not publish this offer on any public forum, Internet or otherwise, except that I reserve the right to so post the entire thing at my discretion to the extent that you would publicly post only some portion of it or make specific public reference to it before the deadline. I ask that you do the same, at least through the time of the expiration of the offer. As a gesture of further good faith I will refrain from further actions as described in numbered paragraphs 1-7 above commencing as of the time that this email communication is dispatched through tomorrow's deadline.

Or the bombs start dropping. Your choice, Bill. Please think hard and long about making the right decision.

Sincerely,

/s/

David Edgren

**EXHIBIT C - PART 3**